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Convention on the Rights of Persons with Disabilities

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Consideration of reports submitted by States parties under article 35 of the Convention

List of issues in relation to the initial report of Mongolia

Addendum

Replies of Mongolia to the list of issues*

[Date received: 22 December 2014]

A. Purpose and general obligations (arts. 1–4)

Purpose (art. 1)

Reply to the issues raised in paragraph 1 of the list of issues (CRPD/C/MNG/Q/1)

1. The Ministers of Population Development and Social Protection, Education and Science, and Health have created a Central Commission of Health, Education and Social Protection of Children with Disabilities by their joint decree No. A/05, A/15, A/16 in 2014. The Commission has started to operate under the National Rehabilitation and Development Center.

2. The Commission has branches in 21 provinces and 9 districts and implements a development program on early detection, diagnosis, prevention and treatment tailored for children with different disabilities.

3. This program will help to reduce loss of physical abilities of children, address their development issues, and increase opportunities for education and social inclusion.

4. The Medical Examination Center and its branches examine and determine the degree and duration of working disability of adults over 16 years of age using ICD-10 International classification of diseases and related health problems.

* The present document is being issued without formal editing.

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5. The Commission establishes causes, degree and duration of working disabilities due to common illness, industrial accidents, occupational diseases, and makes a decision on whether to change work environment and reduce working hours.

6. The Government of Mongolia approved the Action Plan for 2013-2016 to implement the Convention on the Rights of Persons with Disabilities. According to the Plan, the preparatory work is under way to introduce ICF classification (Functioning, Disability and Health) adapted to Mongolian conditions. As a result of introducing the classification, it will improve quality of disability assessment, improve impact of rehabilitation services, and change the perception of disability as only a loss of working abilities.

7. The Minister of Population Development and Social Protection and the Minister of Health have issued a decree No A/36/110 in 2013 to form a working group and renew a "list providing the Degree and Duration of Loss of Working Abilities". This newly developed list will contribute to coordinated activities for treatment, prevention, detection and diagnosis of people with established degree and duration of disabilities.

Definitions (art. 2)

Reply to the issues raised in paragraph 2 of the list of issues

8. Causes, degree and duration of mental and physical disability (full or half loss of working ability) are determined according to the Law on Social Insurance.

9. The amendments to the Law on Social Protection of PWDs included in 2013 define PWDs as persons with physical, mental, intellectual and sensory impairments which in interaction with various barriers may hinder their full and effective participation in society.

10. Thus, the definition of PWDs was aligned with the definitions of UN Convention.

11. Currently, the Government is working to adopt a new draft Law on Rights of PWDs aligned with the Incheon Strategy to "Make the Right Real" and the Convention on the Rights of Persons with Disabilities.

12. The definition of disability will reflect ICF (Functioning, Disability and Health) classification in the draft law.

General obligations (art. 4)

Reply to the issues raised in paragraph 3 of the list of issues

13. According to the National Statistical Yearbook, the number of disabled people in 2010 accounted for 2.9% of the total population. This fact was used as a guide to develop and implement policies and programs to benefit PWDs. For instance,

- Developed a list of diseases that cause disability, degree and duration of disability;
- Approved a strategy for 2014-2019 to prevent blindness and low vision;
- The decree No. 450 of the Minister of Health on 2013 approved registration process and information forms of PWDs by primary health organizations;
- Renewed guidelines on rehabilitation, diagnosis and treatment of most widespread diseases;
- The Program on the prevention of children from accidents was approved;

- The decree No. 182 of the Minister of Health approved the Newborn Screening Program for 2014-2020;
- The Maternal and Child Record Book to discover child's developmental delay at early stages has been approved;
- In order to reduce number of children with inherited disabilities, the new medical genetics and perinatology diagnosis laboratory was established at the Maternal and Child Health Center to detect developmental and genetic disorders at early stages;
- The Government issued a Resolution No. 382 on 23 November 2013 about "Amendments and changes to the procedure". This Resolution states that assistance and benefits provided to children with disabilities must be funded by the social Insurance fund. It also established incentives for members of health, education and social protection committee that identify with children with disabilities;
- The MNS6419:2013 standards on Structure, Activities and Services of Children's Rehabilitation and Development Center was approved by the decree No. 55 issued by the National Council for Standardization on 19 December 2013;
- The Government decree No. 281 on 2 August 2013 proclaimed May 13 as a Day of Early Detection and Intervention in Developmental Impairments.

14. There are discrepancies in the information and data concerning the PWDs in Mongolia. In order to have a unified data, the paragraph 6 of the article 1 of the 2013-2016 action plan to implement the Convention on the Rights of Persons with Disabilities includes a provision on "Creating a unified data system of children and adults with disabilities". In the framework of this provision, the Social and Economic Committee of Asia-Pacific region jointly with the Ministry of Population Development and Social Protection (MPDSP) and the National Statistical Office is conducting a baseline study on PWDs to develop a unified national data system. The work will continue in 2015.

Reply to the issues raised in paragraph 4 of the list of issues

15. The National Statistical Office and the General Authority for State Registration are working with the UN Population Fund to develop a database on population and household. The work started in March 2014 and is planned to be finished in 2015. Database on population and household is expected to improve accuracy on the disability related data.

16. Currently, the "Household, population and social statistics" HC-1 form has been renewed and approved by the National Statistical Office in 2013 in accordance with classifications of PWDs by the World Health Organization (WHO).

17. Under the Decree No. 1-131 issued by the Chairman of the National Statistical Committee on 20 November 2013, the data is now collected using the "Some social Indicators" Form once a year from aimags, capital city, soums, districts, bags and khoroos and is disseminated to the public in an annual bulletin.

18. The changes to the Form include:

- Visual;
- Speaking;
- Hearing;
- Physical;
- Mental;
- Combined;

- Other;
- Number of children:
    - 0-14 of age;
    - 15-17 of age.

19. Additional indicators included in the form:

- Number of people on wheelchair:
    - Children 0-14 of age;
    - Children 15-17 of age;
- Number of PWDs under permanent care:
    - Children 0-14 of age;
    - Children 15-17 of age;
- Number of PWDs that receive pensions and allowances;
- Number of children with disabilities out of school;
- Number of employed PWDs;
- Number of people of retirement age;
- Number of unemployed PWDs.

Reply to the issues raised in paragraph 5 of the list of issues

20. The Constitution of Mongolia, other laws and regulations reflect principles of the Convention of the Rights of Persons with Disabilities. Nevertheless, the 2013 report on "Assessment and Evaluation of Policies and Laws on PWDs" states that implementation of laws and regulations are not sufficient.

21. Draft law on rights of PWDs is being developed according to the decree A/106of the Minister of Population Development and Social Welfare on 4 July 2013.

22. The draft law contains several conceptual amendments to close gaps between the UN Convention and Mongolian laws. For instance:

23. The National Standards aligned with the common international practices and the universal design will be enforced to create accessible and inclusive environment for PWDs.

24. The draft includes provisions to provide the PWDs with opportunities and means for independent living.

25. This law will require to train sign language teachers meeting needs of higher educational institutions, sign language interpreters, develop procedures for sign language interpretation services and approve braille language standards.

Reply to the issues raised in paragraph 6 of the list of issues

National Comprehensive Development Strategy	*Mongolian Government's Action Program*	*National Program for Promoting Persons with Disabilities*

National Comprehensive Development Strategy	*Mongolian Government's Action Program*	*National Program for Promoting Persons with Disabilities*
This Strategy is a long term plan to implement a government policy in certain stages. The government policy is not an idea or promise to do something, but it is an approved decision. The Parliament approves the National Comprehensive Development Strategy.	The Paragraph 40.1 of the Article 40 of the Constitution of Mongolia states that Government has a four year term. So the party that has majority in the Parliament forms a government and submits an Action Plan for every 4 years to the Parliament for approval.	The National Program contains goals, objectives, strategy, activities, solutions and performance indicators of addressing current challenges of specific issues of people with disabilities. The national program is developed by governments for every 2-6 years.

Reply to the issues raised in paragraph 7 of the list of issues

26. It is important to note that active participation of organizations of disabled people (DPOs) in developing the initial report on Convention was crucial.

27. Under the decree A/13 issued by the Minister of Social Welfare and Labor on 20 January 2011, government agencies worked together on preparing the initial report of the Convention with the following DPOs: Association of PWDs, National Association of Blind People, Association "Equal Society", National Association of Deaf Persons' Organizations, Association of Free Trade Unions for PWDs, National Wheelchair Users Association.

B. Specific rights under the Convention

Equality and non-discrimination (art. 5)

Reply to the issues raised in paragraph 8 of the list of issues

28. There are no provisions of national laws or legal acts that discriminate PWDs. Under the current laws, PWDs have rights to be equally treated, rights to education, medical and rehabilitation services, work, social welfare services. For instance:

29. The Law declares that "No person shall be discriminated against on the basis of ethnic origin, language, race, age, sex, social origin and status, property, occupation and position, religion, opinion and education. Every one shall be a person before the law".

30. In addition to it, the Labor Law, Law on Social Welfare, Law on Social Welfare of PWDs, Law on Education have clauses and provisions that protect PWDs from discrimination.

31. In renewing the respective laws, new provisions are being added in new drafts of the Law on Urban Development and Law on Construction to guarantee and promote rights of PWDs. Also, some PWDs, who receive pensions from the Fund of Industrial Accidents and Occupational Diseases, continue to work and pay social insurance contributions, however, the law does not allow that their pensions are adjusted in relation to the social insurance contributions paid by them. Accordingly, the new amendments to the existing "Law on Industrial Accidents and Occupational Disease Related Pensions, Benefits and Payments from the Social Insurance Fund" have been submitted to the Parliament.

Women with disabilities (art. 6)

Reply to the issues raised in paragraph 9 of the list of issues

32. According to the National Statistical Office, the number of PWDs in Mongolia was 96,325 in 2013, which accounted for 3.2% of the total population. Among people with disabilities, 45.8% are women and 11.2% are children between 0 and 17 years old.

33. The Ministry of Population Development and Social Protection (MPDSP) has organized the "Women's Development Policy Reform" National Forum on February 2013 attended by representatives from women with disabilities. The Forum had, among many, the following outcome:

34. Recommendations to address family and women issues were produced. The recommendations included developing policy for women with disabilities, ensuring equal rights, prevention from violence.

35. Also, the Ministry of Population Development and Social Protection developed a draft amendment of the Law on Family and submitted it to the Parliament. This draft covers rights, development and protection of girls and women with disabilities and families.

36. Situation with reproductive health is different depending on geographic location or level of social and economic development. To address this issue, the Mongolian Government organized a national discussion on sexual and reproductive health in Mongolia on 4 December 2014. The discussion was attended by government organizations, NGOs and international organizations.

37. This event was divided into several sub group discussions. One sub group discussion focused on reproductive health services for women and persons with disabilities. Representatives of girls and women with disabilities discussed current challenges facing reproductive health services for PWDs and shared their ideas and solutions. The participants developed recommendations and submitted them to relevant government organizations for better policy implications.

Children with disabilities (art. 7)

Reply to the issues raised in paragraph 10 of the list of issues

38. The Ministry of Population Development and Social Protection with support from the Mongolian Government, UN Population Fund, SDC and the Government of Luxembourg is implementing "Youth Development 2013-2017" project. The goal of this project is to help young people gain knowledge, confidence, maturity, learn to be responsible for their actions, make own decisions, have their voices heard by decision makers.

39. This project has been working to enhance capacity of youth and has already built nine centers out of 15 planned centers for youth development in rural area.

40. These centers employ coordinators and social workers. Youth councils and support groups voluntarily work in these centers. The councils consist of 15 members. Young people disabilities play key roles in these councils and work to have their voices heard at policy making levels and increase their participation in decision making.

Reply to the issues raised in paragraph 11 of the list of issues

41. Under the Action Plan 2012-2016, the Mongolian Government will build development centers for children with disabilities to provide health assistance,

rehabilitation services, trainings, social support, and offer family counseling. These development centers will be built in every aimag and district of Ulaanbaatar. So far, the tender for building these centers has been announced in two locations: 4th district of UB and Arkhangai aimag.

42. Also, the Government of the People's Republic of China provided a grant to build a National Center for Development and Protection of Children. The Children's Development Centers will improve quality of and access to all kinds of services for children. These centers will expand activities of Children's Committee for education, health and social protection, provide consultancies to parents and strengthen capacities of its employees.

43. Over 30 schools have built accessible environment for children with disabilities.

44. The special school No. 70 for children with disabilities have expanded their facilities and added a new school building for 320 students. The school for children with impaired vision renovated their building. The special school No. 25 created a Teachers' Development Center. The school No. 29 established a Students' Development center and outdoor sport stadium. All these schools have installed wireless Internet connections.

45. Currently, the rural branches of the National Children's Center which is under the Ministry of Population Development and Social Protection, with the help from the national and international NGOs such as Association of Parents of Children with Disabilities, World Vision, Tegsh Duuren project, run development centers for children with disabilities. These centers offer health, educational, rehabilitation services, provide consultancies to parents. These centers implemented the following activities in 2013:

- Offered medical services to 473 children with disabilities;
- Organized training activities for 1237 children with disabilities and their parents;
- 436 children stayed in day-care centers.

46. In total, 28 activities of five categories were organized for a total of 1352 (double counted) parents and children with disabilities.

Awareness-raising (art. 8)

Reply to the issues raised in paragraph 12 of the list of issues

47. Although there is no specific national program that addresses the above mentioned issues, the Action Plan for 2013-2016 (para. 21, art. 3) to implement the Convention on the Rights of Persons with Disabilities includes trainings on community based development of PWDs for employees, teachers, doctors, social workers from public and private sectors.

48. Also the Government in partnership with AIFO, the Italian NGO, held a series of regional workshops for managers and employees from relevant government organizations in 2014.

49. One of the goals of the National Center for Rehabilitation and Development (NCRD) under the MPDSP is to help conduct community based rehabilitation program (CBR) for PWDs and improve knowledge and perception of households and government employees on PWDs.

50. The 2014 was proclaimed as the Year of Family development. Accordingly, the NCRD developed and implemented special programs to improve knowledge and perception of citizens towards PWDs in six districts of UB and five aimags.

51. In order to improve coordination between government and DPOs and create inclusive environment for children with disabilities, the Committee for Education, Health

and Social Protection of Children with Disabilities worked with 30 organizations to implement 420 advocacy activities, awareness campaigns and trainings.

52. The training curriculum for architecture degree training includes the subject of disability accessible infrastructure standards and provides knowledge of ensuring Rights, Development and Participation of PWDs in social life. The trainings for engineers include subjects on infrastructure development for PWDs, rights, laws and regulations related for PWDs.

Accessibility (art. 9)

Reply to the issues raised in paragraph 13 of the list of issues

53. One of the goals of Action Plan of the Government of Mongolia for 2012-2016 includes an objective that indoor and outdoor facilities including schools, housing, medical facilities and workplaces shall have necessary infrastructure accessible to the needs of people with disabilities.

54. Accordingly, the accessibility needs of people with disabilities have been taken into consideration and reflected in 10 rules and regulations, for instance MNS 91.040.10: Standard on the needs for space for PWDs, planning on road for people PWDs, BN6D standard on projection of residential construction, guideline on projection of construction of educational institution and so on. In the framework of the new "Construction rules and standards for urban and rural planning", the Ministry of Construction and Urban Development has been developing policies to satisfy the needs of people with disabilities incorporating urban planning standards and requirements.

55. Accordingly, the Ministry has been taking due measures to construct accredited and accessible infrastructures to meet the needs of people with disabilities following the construction rules and standards.

56. For instance, the Government Resolution No. 151 dated 01 December, 2012, states that the Commission to evaluate and confirm the infrastructure's correspondence to rules and standards shall have a representation from people with disabilities in order to reflect their request and comments to take respective measures.

57. Every year the International Day of Persons with Disabilities is celebrated on 03 December worldwide. In 2013, this day was celebrated under the theme "Break Barriers: for an inclusive society and development for all" in Ulaanbaatar city, and due measures were taken to evaluate the accessibility of facilities and assessments were conducted on road constructions.

58. Assessments were completed with participation and performance of specific tasks by people with disabilities, in particular wheelchair users and visually impaired people played an important role in it, and infrastructure plans and accommodations of buildings to meet the specific standards and rules were monitored thoroughly.

59. In 2014, the International Day of People with Disabilities was celebrated under the theme "Sustainable Development: The Promise of Technology", and assessment of government buildings, including entrances, exits, elevators, restrooms, were conducted in order to monitor the implementation of the policy and law.

60. The above assessment was completed jointly by the National Commission on Human Rights, the Ministry of Population Development and Social Protection as well as non-governmental organizations, and the assessment was done with the involvement of people with disabilities, including wheelchair users, people with hearing and visual impairments.

61. Recommendations based on the assessment report are submitted to the responsible government authorities, and solutions to the issues are underway.

62. Moreover, the Government of Mongolia initiated the implementation of the national program "E-government, 2012-2016" with purpose to promote the transparency and openness of the government organizations, and to increase the participation of population in the policy formulation and deliver quality services.

63. Under this program, electronic communication service system to collect information and monitor the lands ownership was established. Using the system, people can get information on factors such as location, plan of location, availability of ownership, and the number of citizens registered for that location.

Situations of risk and humanitarian emergencies (art. 11)

Reply to the issues raised in paragraph 14 of the list of issues

64. In order to give knowledge and enhance skills of disaster preparedness to the people with disabilities the National Emergency Management Agency (NEMA) of Mongolia conducted the training in September of 2014 jointly with the Ministry of Population Development and Social Protection and UNDP Project on Strengthening Local Level Capacities for Disaster Risk Reduction, Management and Coordination in Mongolia. More than 60 people attended the training from various organizations including Mongolian Association of Deaf People, Blind People's Association, Association of People with Disabilities, National Center for the Rights of women with disabilities, National Center for Rehabilitation and Development, Confederation of Trade Union of People with Disabilities and Association of People in Wheelchair.

65. Participants were trained and practiced how to use the fire extinguisher, escape from smoke during earthquake, down victims from tall buildings, and give first aid, as well as, introduced rescue equipment, vehicles and fire engines. The first training not only was satisfied by the participants but also being evaluated as an important measure. As a result, working plan and training agenda which meet specific needs of types of disabilities for the coming year were adopted.

66. Additionally, in spite of introducing state policies and legal documents of disaster management to people, enhancing their knowledge and skills for protecting oneself and others from possible hazards and accidents, strengthening disaster preparedness education, the studio under National Emergency Management Agency has been preparing the program on "Emergency time" and broadcasting through broadcasters like UBS, Mongolian National Broadcaster (MNB) and TV9 once a fortnight in 20 minutes. As of November 2014, the studio prepared and broadcasted 25 series of programs on "Emergency time".

67. Moreover, the studio has prepared and broadcasted animated videos of how to prevent from floods, lightening, forest and steppe fires, and warnings from severe snow and dust storms. Also, CDs contain series of lessons on how to give first aid to oneself and others in cases of bone fractures, stroke, heart attack, traumas, and chokes, prepared by NEMA jointly with Health Development Centre of the capital city, have being used for public awareness trainings.

68. All the above mentioned measures have being broadcasted with sign language interpretation to the people with disability.

Reply to the issues raised in paragraph 15 of the list of issues

69. There have been no any national programs adopted for disaster risk reduction and response. However, the development of disaster preparedness special program to that meets

the needs of vulnerable people, including people with disabilities, youth and women, was reflected in State Policy on Disaster Protection, adopted by Parliament Resolution 22 in 2011. According the Resolution, National program on Community based disaster risk reduction for 2015-2025 is being developed by joint efforts of relevant organizations.

70. Furthermore, in accordance with Resolution 44/236 (22 December 1989) of the UN General Assembly to designate 13 October every year as the day to commemorate International Day for Disaster Reduction, a number of activities were conducted on this day to build capacity of PWDs and their family members to be prepared for the disaster risks situations.

Equal recognition before the law (art. 12)

Reply to the issues raised in paragraph 16 of the list of issues

71. The newly amended Law on Mental Health was approved and is effective since 13 January 2013. The following laws and legal acts on Mental Health are effective today:

- The 2nd National Program on Mental Health (2010-2019);
- Resolution on "Providing Mental Health Assistance" issued by the Minister of Health on 30 May 2014;
- "Improving Mental and Narcological Assistance" decree issued by the Minister of Health on 16 September 2014.

72. The Standard MNS 6330-2:2012 on Structure and Activities of Special Professional Centers and the Standard MNS 5095:2013 on Structure and Activities of Unified Hospitals have been approved. According to these standards, a population of up to 50,000 must have one mental health expert, population between 50,000 and 100,000 must have 1-2 mental health experts, and population over 100,000 must have 2-3 mental health experts.

73. Besides that, there are several health centers functioning: the Narcology hospital with 50 beds (supervised by the Health Department of UB), special hospital with 100 beds to treat persons addicted to alcohol and drugs (supervised by the General Court Decision Department of Mongolia) and National Center of Mental Health with 220 beds.

74. The Government organizations are working with Australian partners on conducting genetic study of schizophrenia, with New Zealand on alcohol addiction study and with the National Center for Human Studies on mental disorders and incest.

Access to justice (art. 13)

Reply to the issues raised in paragraph 17 of the list of issues

75. The Constitution of Mongolia (respective provisions 13 and 14 of paragraph 2, article 14) states that no person shall be discriminated against on the basis of social origin and status. Human rights and freedoms of every person must be respected. Every person can go to court to protect his/her rights"

76. The Criminal Code (40.1.1) states that in case if persons with speaking, hearing or vision impairment are incapable of exercising rights to defend themselves, a judge, prosecutor, or a police department must provide with an attorney.

77. One of necessary conditions to protect rights of PWDs is accessible infrastructure of court buildings for PWDs.

78. The resolution No 100 of the Judicial General Council of Mongolia on 8 July 2014 defined basic requirements for court buildings. According to the requirement 2.1, the court building must have the Building Plan Manual for PWDs (БНБД 30-01-04), follow the Regulations on Accessible Construction Blueprints for PWDs (БД 31-101-04) and comply with MNS 6055:2009 Construction Standards for PWDs. The court buildings must start following all these regulations and standards beginning from 1 January of 2015.

Liberty and security of person (art. 14)

Reply to the issues raised in paragraph 18 of the list of issues

79. The General Court Decision Department of Mongolia provides information about PWDs serving prison time by types of their disability, sex and prison terms.

80. According to the General Court Decision Department, there are 130 PWDS in prisons and detention centers. The PWDs continue receiving pensions and allowances during their time in prison in 2013.

81. The National Rehabilitation Development Center under the Ministry of Population development and Social protection provided prosthetics and orthopaedic devices and aids to PWDs serving time in prisons and organized trainings for prison employees to improve their knowledge about PWDs in 2013 and 2014.

82. The paragraph 19.2 of the Criminal Code and paragraph 7.2 of the Civil Code state that suspects under investigation with vision, speaking and hearing impairments have rights to testify, file complaints, speak at court hearings, study all case documents with help from special interpreters. Persons with disabilities as well as other citizens have opportunities for equal participation at all levels of court proceedings.

2013 statistics

	Prison terms				*Sex*		*Type of disability*						
No of PWDS in prison	*Isolation cell*	*Special*	*High security*	*Average*	*Male*	*Female*	*Mental*	*Spine*	*Arms and legs*	*Heart and internal organs*	*Hearing impairment*	*Vision impairment*	***Total***
130	1	1	54	74	111	19	38	3	36	32	5	16	**130**

Freedom from torture (art. 15)

Reply to the issues raised in paragraph 19 of the list of issues

83. The Health Law (36.2) of Mongolia states a written consent is required from citizens including PWDs, children under 18, legal guardians and custodians of persons with mental impairment, prior to complex diagnosis, treatment, surgery, medical and scientific experimentations.

84. The Health Law (32.4) also declares that forced treatment of individuals posing serious threat to society is regulated by law. In this regard, except patients with mental disability who pose serious threat to society, the forced treatment of any PWD is prohibited.

Freedom from exploitation, abuse and violence (art. 16)

Reply to the issues raised in paragraph 20 of the list of issues

85. The Police Department provides the last five year data on children exposed to abuse and violence. However, there is no disaggregated data with regard to children with disabilities.

	Number of children affected by violence and abuse				
Cases	*2009*	*2010*	*2011*	*2012*	*2013*
Number and percentage of reported cases of children exposed to violence, abuse and neglect from parents, guardians	95	12	24	23	24
No of reported cases of children exposed to sexual exploitation, sexual abuse, trafficking, abduction, violence during the reporting period	78	12	60	34	36

Source: the Police Department.

86. The MPDSP considers it important and plans to conduct a study on the exposure of girls and women to abuse and violence. In this regard, the MPDSP is planning to cooperate with UNESCO for 2015-2016 on the conduction of a study in the view to achieve the 6th objective of the Incheon Strategy "Gender Equality and Women's Empowering".

87. Based on respect for gender equality and children's rights, the 7th Article of the Law on Domestic Violence protects PWDs from any kinds of domestic and external violence and abuse.

Protecting the integrity of the person (art. 17)

Reply to the issues raised in paragraph 21 of the list of issues

88. The forced abortion is regulated in accordance with Article 32 of the Law on Health of Mongolia as follow:

> "32.1 If the fetus was identified to have genetic or physical abnormalities, or it is a threat to the maternal during the labor, abortion can be carried out by medical staff upon confirmed by the husband or the member of the family.
>
> 32.2 Abortion is to be carried out only by a licensed specialized gynecologist
>
> 32.3 Member of the Parliament charge of the medical services is to approve the procedures for abortion.
>
> 32.4 Citizens considered to be the threat to the society are to be forced to be sent to the rehabilitation centers for further treatment."

89. To implement the above law, a procedure towards the abortion was revised by the 148th Order of Law of Health by the Minister of Health. No forced abortion is to be carried out as stated.

Living independently and being included in the community (art. 19)

Reply to the issues raised in paragraph 22 of the list of issues

90. There are two nursing homes serving PWDs in Mongolia in 2014. Around 70 PWDs in these homes receive nursing care.

91. "Batgerelt-Ireedui" nursing home provides care for 41 patients between 19-88 years of age. This nursing home follows Mongolian standards on nursing care for PWDs:

92. 14 clients in "Batgerelt-Ireedui" nursing home are suffering from stroke effects, 10 clients have mental impairment, three clients have visual impairment, and 14 clients have orthopedic disabilities.

93. The Western Regional Nursing Center in Hovd aimag under Social Welfare and Service Division has 29 clients of 5-75 years of age: 13 males and 16 females. 12 of these patients have mental impairment, two patients are visually impaired and 11 patients are homeless children with light impairments.

94. The Article 17 of the Law on Social Welfare states that there are two kinds of social welfare services. The first type of service is Community Based Social Welfare Services (CBSWS). The Law (3.1.10) defines CBSWS as assistance and services provided with participation of government and non-government organizations to citizens and households.

95. 23777 people received the CBSWS in 2013. Individuals, business entities and NGOs contracted by government deliver eight types of services according to Article 18 of the Law on Social Welfare as follow:

- Counseling and training activities delivered by 40 entities;
- Rehabilitation service –by 80 entities;
- Temporary sheltering and nursing service – by one entity;
- Home care, nursing service– by three entities;
- Offering meals to homeless people, temporary shelters – by 24 entities.

Freedom of expression and opinion, access to information (art. 21)

Reply to the issues raised in paragraph 23 of the list of issues

96. The Mongolian Government implements the following activities to improve access to Braille and sign languages:

(a) The Ministry of Culture, Sport and Tourism and the National Association of the Blind have been implementing White Cane project in 2013-2014. Under this project, 75 animals, plants and rock objects of Natural History Museum have labels and illustrations in Braille language. Choijin Lama Museum has 21 historical exhibits with Braille language signs and labels;

(b) The Mongolian Military Museum has made its exhibits available in Braille script and sign language;

(c) Also, the Government and the school No. 116 for children with visual impairment is re-creating 8-10 exhibits from 13th century using clay. Museum exhibit information is also available in sign language and video recordings;

(d) "Make The Right Real" Incheon Strategy has been translated into Mongolian and converted into Braille language book, audio and video recordings. This strategy has also been posted on the MPDSP website. These activities helped raise public awareness;

(e) Persons with hearing impairment experience communication problems and are unable to get first aid, police assistance and emergency services that affect their mental and physical health. At the initiative of the MPDSP, the Communications Regulatory Commission of Mongolia, the General Police Department of Mongolia and mobile phone operators launched a new emergency SMS service for persons with hearing impairment. Now the clients can receive and send SMSs using the following hotlines numbers: 101,102,103,105;

(f) Next step would be to print and distribute the Convention on the Rights of Persons with Disabilities in friendly and accessible form.

Respect for home and the family (art. 23)

Reply to the issues raised in paragraph 24 of the list of issues

97. The Family Law of Mongolia was approved in 1999 and is currently being renewed in accordance with international standards on social development principles, human development, child rights, human rights and freedom, made some rights -based amendments. The Law has 11 chapters and 121 Articles.

98. Article 12.1.5 of the draft Law has the clause that prohibits the marriage of either or both persons with genetic psychosocial and intellectual disorders. However, this will not prohibit the marriage of people with disabilities.

99. On 24th of June 2014 the law draft submitted to the Mongolian Parliament for discussion.

Education (art. 24)

Reply to the issues raised in paragraph 25 of the list of issues

100. "Equal education for children with disabilities program" was passed by the joint Decree 435/302/173 of the Minister of Education, Culture and Science and the Minister of Health, Social Welfare and Labor of Mongolia in 2003, and it was implemented between 2003 and 2008. Currently "The equal education for children with disabilities program 2" project is being developed. The program is expected to be implemented for 5 years from 2014-2019 to provide an environment where children with disabilities are presented with equal learning, development and educational opportunities.

101. The Ministry of Education and Science plans on implementing the following:

- Provide early detection and diagnosis of children with disabilities, and ensure that children with disabilities are enrolled in the education system, and conduct initial and progress assessments for children with special educational needs;
- Develop individual training methodologies based on personal specifics and needs of children with disabilities in cooperation with parents, and grant parents the right of school selection;
- Use different alternative types of organizing school and out of school activities.

Reply to the issues raised in paragraph 26 of the list of issues

102. The Parliament Resolution 19 was approved in 2013, according to which the Government of Mongolia fully covers the financial costs associated with specialized trainings of at least 20 contracted sign language teachers, doctors, orthopedics, and supports their enrollment in different abroad trainings annually.

103. Moreover, special education teaching professions are always acknowledged and included in the top 20 of the most demanded professions; therefore, in the framework of the legislation implementation, the advanced level trainings, in particular getting bachelor's and master's degrees in special education teachings are highly encouraged and funded by the Government of Mongolia.

104. The training curriculum of some high education institutions added inclusion of 3 more credit subjects on the content and teaching methodology for children with disabilities. Also, developed a one year course on teaching for children with special needs at College of Pre-school education and introduced 4 years Bachelor degree course on physical therapy and occupational therapy at Nursing College under Mongolian National University of Medical Science.

105. Moreover, the Mongolian National University of Medical Science and the Medical Department of Japanese Gunma University established a contract on teaching of physical therapists in 2007. As of 2012, total number of 47 physical therapists have been working according obtained profession since the first graduation in 2011.

Health (art. 25)

Reply to the issues raised in paragraph 27 of the list of issues

106. The Ministry of Health has announced the year of 2014 as the year to Promote the Maternal and Child Health with vision to improve the medical care services and to reduce the maternal and child mortality rates. In this regard, carried out its mission under the following objectives:

1. Improve the legal framework of the maternal and child health in achieving the MDGs;

2. Improve the quality, accessibility, and safety of medical care services delivered to mothers and children;

3. Improve partnerships to ensure the protection of maternal and child health, and reduce the inequality of medical assistance services;

4. Conduct workshops designed to improve professional skills and ethics of the service providers;

5. Promote the use of the advanced medical technologies in the services for mother and child;

6. Increase the investment in the procurement of medication, medical equipment to ensure better services for mother and child;

7. Promote public awareness and health education among the public.

107. The Ministry of Health, in cooperation with the Public Health Institute and the National Association of Women with disabilities conducted study on reproductive health education, and knowledge on AIDS and HIV among PWDs. As a result, further actions have been identified based on the recommendation of the study.

108. Also, with a view to build capacity and improve access to people with visual impairments the brochure on reproductive health and family planning was published in Braille.

Habilitation and rehabilitation (art. 26)

Reply to the issues raised in paragraph 28 of the list of issues

109. The NCRD provides rehabilitation services on national level. In 2014, the NCRD expanded its activities and opened Center for Rehabilitation, Diagnosis and Treatment and launched production of rehabilitation devices and artificial limbs.

110. Under the "TegshDuuren" project, the NCRD has established three types of centers during 2012-2014 in all 21 aimags and 9 districts of UB with the assistance of Italian AIFO NGO:

- Rehabilitation cabinet;
- Public health information center;
- Factory to produce simple prosthetic and orthopedic workshop.

111. The establishment of these centers and facilities provides better accessibility to education on disability prevention and offer community based rehabilitation services. In addition to that, PWDs have opportunities to be provided with prosthetic and orthopedic devices through a supplier that is contracted with social welfare organizations.

112. In 2014 the factory that produces rehabilitation tools and prosthetic limbs, received 935 pieces of equipment within the investment from the state budget. Also, the Government of Japan pledged to supply 266 pieces of prosthetic and orthopedic equipment, rehabilitation devices with a value of 273 million yen under the Mongolia Japan Cooperation Agreement.

Work and employment (art. 27)

Reply to the issues raised in paragraph 29 of the list of issues

113. The Labor Law (para. 111.1, 111.2 of article 111) regulates employment quota system for PWDs.

114. Also, according to the Resolution No 26 issued by the Government in 2009, an employer is imposed to pay a levy for not employing a person with disabilities and the size of the levy depends on location of the employer (UB or countryside) and number of employees working for this employer.

115. The Labor Law (para. 111.6) gives a right to the enterprise to be exempt of the above fees for 12 months if it previously paid it continuously for 24 months.

Implementation of Article 111 of the Labor Law in 2013

No. of entities with 20-49 employees	*No of entities with 50 and more employees*	*No. of entities employing PWD*	*No. of entities exempt from fees*	*No. of entities that paid fees for not employing PWDs*
3192	1841	1367	13	294

116. Levies paid by entities for not employing PWDs are collected in the Employment Promotion Fund. This Fund covers 20% of total funding of projects and programs that benefit PWDs.

117. In practice, budgetary organizations and entities with state properties do not include the levy in their budgeting that makes it difficult to impose penalties on them.

118. Meanwhile laws that require all entities to pay levies for not employing PWDs. According to the draft amendments in the Labor Law, the Government will pay levies imposed on government organizations directly to the Employment promotion fund. Also, the draft Law on Human Rights of PWDs is being currently developed. This Law will promote employment opportunities of PWDs, eliminate any act of discrimination in employment due to disability.

Reply to the issues raised in paragraph 30 of the list of issues

119. According to the 2010 Population and Housing Census, there are 98,610 persons with disabilities over 15 years of age. 19.7% of them have permanent jobs,78.9% have no jobs, and the remaining 12.9% are active job seekers.

120. Among PWDs registered as employed, 41.7% of them are self-employed, 35.7% are engaged in any kind of paid work, 20.1% participate in family business without any pay, 1.6% are employers and 0.3% are members of partnerships and cooperatives.

121. PWDs have limited opportunities to work in formal sector such as government organizations, NGOs and private sector. Instead, they mostly work in informal sector or at home without pay.

122. Under the Program to Promote Employment of PWDs of the Labor Ministry, a total of 1.3 billion tugrugs was spent promoting employment for PWDs: PWDs engaged in business activities received one billion tugrugs of financial assistance, and businesses and NGOs that created permanent jobs for PWDs received 300 million tugrugs of financial assistance. Accordingly, through 917 projects funded at 979.9 million tugrugs of financial assistance 1089 people with disabilities were provided with permanent jobs.

123. 26 business entities and NGOs received assistance in the amount of 299 mln.$ and created 91 jobs.

124. The Law on Minimum Wages prohibits paying employees working on contract basis, including PWDs, lower than minimum wages established by consensus of the social partners, including government, employer and trade union.

125. The minimum wage must be legally re-adjusted once in two years taking into account different factors such as change in cost of living, productivity, average wage, social insurance pensions and benefits, economic growth and employment rate. This law provides opportunity to monitor if PWDs receive equal wages for doing the same work and if PWDs receive wages below minimum level.

Reply to the issues raised in paragraph 31 of the list of issues

126. The Labor Law regulates paid vacations and working hours of PWDs. The Labor Law (Art. 79.3) states that PWDs below 18 years of age are entitled to 20 days of paid vacation.

127. The Article 71 of the Labor Law reduced working hours of PWDs down to 36 hours a week.

128. In 2013, by the decision of the Medical and Labour Examination Commission, 17 PWDs work reduced hours, and 159 PWDs are provided with jobs with improved working conditions on national level.

Adequate standard of living and social protection (art. 28)

Reply to the issues raised in paragraph 32 of the list of issues

129. The Mongolian Government is pursuing targeted social welfare policy to direct towards poverty reduction and to deliver social welfare services to meet the needs of those in need.

130. The MPDSP conducted livelihood assessment using the PMT (proxy means test) methodology and collected livelihood data of 2,375,070 citizens from 712,044 households. Thus, the Ministry delivers the social welfare services targeted at children, the elderly citizens and PWDs in need.

131. Below is the data on social welfare pensions (table 1), social welfare benefits (table 2), data on social insurance pensions (table 3) for period of 2010-2014.

1. Social Welfare Pension

Year	*2010*	*2012*	*2014*
Amount (in tugrugs)	53,800	103,600	115,000
Percent		92%	11%

Legal acts

- The Government Resolution No. 242, 2010 fixed the social welfare pension at 53,800 tugrugs effective since 1 October 2010;
- The Government Resolution No. 81, 2012 fixed the monthly social welfare pension at 70,000 tugrugs effective since 1 February 2012 and re-set the amount at 103,600 effective since 1 May 2012;
- The Government Resolution No. 16, 2014 fixed the social welfare pension at 115,000 tugrugs effective since 1 Feb 2014.

2. Social Welfare Benefit

	Since 1 Oct 2010	*Since 1 May 2012*	*Since 1 Feb 2014*
Amount (in tugrugs)	31,200	48,000	52,800
Percent		53%	10%

Legal acts

- The Government Resolution No 242, 2010 set the conditional social welfare benefit at 31200 tugrugs;
- The Government Resolution No. 81, 2012 the Government adjusted the monthly social welfare benefit at 40,000 tugrugs effective since 1 February 2012 and re-set at 48,000 tugrugs since effective since May 2012;
- The Government Resolution No. 16, 2014 fixed the monthly social welfare benefit at 52,800 tugrugs effective since 1 February 2014.

3. Social Insurance Pension

Date	*Acts*	*Minimum pension*	*Percent*	*Minimum level of partial pension*	*Percent*	*Average pension*	*Percent*

Date	*Acts*	*Minimum pension*	*Percent*	*Minimum level of partial pension*	*Percent*	*Average pension*	*Percent*
2010.09.15	ZG-241	105300	30%	70,200	30%	126,450	31%
2012.03.01	ZG-80	140300	33%	105,200	50%	181,500	43%
2012.05.01	ZG-153	180300	28%	145,200	38%	221,600	22%
2014.01.18	ZG-15	207300	15%	172,200	18%	254,500	15%

132. The Government considers it important to develop and expand social insurance services to every insured person and to meet their needs. This duly requires to improve legislation on social insurance, undertake pension reforms, bring pensions and benefits to the adequate level, and improve quality of services.

Reply to the issues raised in paragraph 33 of the list of issues

133. The Article 71 of the Labor Law regulates the issues of reduced working hours and duration of annual paid vacation as follows:

- Article 71.1 – Citizens of 14-15 years of age can work for up to 30 hours a week. Citizens of 16-17 years of age and PWDs are entitled to work for up to 36 hours a week;
- Article 71.5 – Depending on type of work, working hours of PWDs or dwarf persons can be reduced upon employee's request;
- Article 79.3 – Annual vacation duration of citizens under 18 and PWDs shall start from 20 working days.

Participation in cultural life, recreation, leisure and sport (art. 30)

Reply to the issues raised in paragraph 34 of the list of issues

134. Mongolia has newly formulated strategic objectives aimed at ensuring the rights and cultural rights for the public, developing the culture, and protecting, supporting and promoting cultural heritage and its various types. Accordingly, the Parliament of Mongolia adopted the "The State Policy concerning the culture" by its Resolution No. 52 dated 22 May 2012. The document provides the issues of the involvement of people with disabilities into cultural activities, and the promotion the value of their talent and commitment to culture. In this regard, the Government has been working to renew the legal acts, including draft Law on Library, draft Law on Movie, draft Law on Museum, and draft Law on Culture.

135. For instance, the draft law on Library contains respective provisions that stipulate the rights and obligations of a reader with disabilities, and facilities that provide people with visual and hearing impairments with access to reading in Braille, Hearing and Signal books converted into special format, as well as facilitation of the home based library services.

136. Preparatory activities have been undertaken towards ratification by Mongolia of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. The Ministry of Culture, Sport and Tourism in cooperation with Mongolian National Federation of the Blind and the Consortium of Mongolian Libraries has undertaken the translation of the abovementioned Treaty into Mongolian language and organized the relevant discussion at Civil Chamber Hall, the Government Building in November, 2014. Accordingly, the Ministry of Culture,

Sport and Tourism is in the process of developing draft law of Mongolia to ratify the Treaty.

137. In an effort to ensure the cultural rights of the persons with disabilities and to increase their participation in cultural activities, there has been drafted "The requirement to the activity and environment of professional arts organizations" in conformity with international requirement to deliver accessible services and infrastructure of cultural and arts organizations as theatres, cultural centers, libraries, museums, and cinemas.

138. According to Order No. A/151, 2014 of the Minister of Culture, Sport and Tourism, it was decided to form up a band of visually impaired people and ensure its functioning for residents of Khan-Uul district on a contractual basis with the Cultural Center if the district.

139. Since 2004, the 20 seats reading hall accessible for PWDs in Braille and provided with talking books was created at the central Library named after D.Natsagdorj of Capital City of Ulaanbaatar, that created the employment of 2 librarians. The reading hall serves the PWDs with special needs and offers over 1800 unit books and is equipped with 2 computers with Talking in English and Mongolian software. From the above mentioned books, there are 124 books with DAISY - Digital System Talking books. Also, in 2010 there was established a studio to make electronic talking book in DAISY format. All the schools and organizations of the blind people in 21 provinces and districts of Ulaanbaatar City were provided with electronic talking books in DAISY format. This enabled the visually impaired persons an opportunity to read books by pages, by parts and by contents likewise the printed books. On average, the reading hall serves over 1000 visually impaired persons every year and over 1200 Braille and audio books are taken for reading.

140. In an effort to facilitate the access of the visually impaired persons and persons with print disabilities to the published works and to improve the distribution of such works, the Ministry of Culture, Sport and Tourism promotes libraries to develop specialized service design.

Statistics and data collection (art. 31)

Reply to the issues raised in paragraph 35 of the list of issues

141. In the frame of social welfare reform policy as part of national survey to assess household livelihood level, the Consolidated Database System for Household Livelihood Assessment Survey was established. The data system was established based upon the methodology and guidelines approved by the joint Order No. 123/165 of Chairman of the National Statistical Office and the Minister of Population Development and Social Protection dated 7 November 2013.

142. Currently, data collected on national level is being entered into the data system. Next step would be to use this data system for multi-sectorial use by all government organizations in implementing any policies and programs for citizens.

143. The database system contains information of 712,044 households covering a total of 2,375,070 citizens including 1,156,582 men and 1,218,488 women.

144. The data collected can be divided into the following categories: 102,697 PWDs, 60,993 elderly people, 130242 women, and 766,093 young people of 18-35 years of age.

International cooperation (art. 32)

Reply to the issues raised in paragraph 36 of the list of issues

145. With a view to ensure rights, participation and development of PWDs, national NGOs are provided with opportunities to be involved in planning, implementing and assessing projects and programs to conduct jointly with international agencies:

- The Ministry of Health has partnered with AIFO, the Italian NGO, to jointly implement community based rehabilitation programs for PWDs since 1991. "TegshDuurenKhoroo" (Community based committee) project is implemented in 21 aimags and 9 districts of Ulaanbaatar Capital city and composes of 9 staff. Representatives of DPOs are included in the committee;
- Mercy Corps implemented program to strengthen capacity of DPOs under coordination of project manager who was a person with orthopedic impairment. Mercy Corps worked with DPOs to evaluate implementation of legal provisions on accessibility for PWDs;
- ADRA worked with the Association for Down Syndrome, Association of Parents of Children with Disabilities, Association of Cerebral Palsy to implement a project on Education for Children with Disabilities,
- FLOM from Finland worked with the National Association of the Deaf and the Association of Sign Interpreters to improve access of PWDs to information and strengthen capacity of DPOs;
- The Open Society Forum is working with the Association for Down Syndrome and Association of Parents of Children with Disabilities for early detection of children with disabilities;
- Socio-Economic Commission for Asia Pacific Region intends working with national DPOs in conducting baseline survey on indicators for Incheon Strategy to "Make the Right Real", and shall be working towards medium term evaluation over implementation of this Strategy.

National implementation and monitoring (art. 33)

Reply to the issues raised in paragraph 37 of the list of issues

146. The Government Resolution No. 281 of Mongolia approved the action plan for 2013-2016 to implement the Convention on the Rights of Persons with Disabilities.

147. Under the Resolution, ministries, agencies, aimags and districts are obliged to develop annual plans and budget estimations for the action plan and to work with NGOs to implement them.

148. Below are some joint activities undertaken in cooperation with DPOs:

- The government organizations worked with the National Association of PWDs using Wheelchair, Tugeemel Hugjil NGO, National Association of the Blind and "Aivuun" NGO to monitor and evaluate services and accessibility standards for construction, walkways, intersections, bus stations, public transportation, communication and personal assistance;
- The Article 111 of the Labor Law of Mongolia states that entities and organizations with 25 and more employees shall employ four and more PWDs and dwarf persons. The Free Trade Union of PWDs, Business Incubation Center and National

Vocational Training Center of PWDs have worked together to monitor implementation of provisions of this law;

- To implement the Convention on the Rights of Persons with Disabilities and Incheon Strategy to "Make the Right Real", the government plans to establish the National Council within draft law on Rights of PWDs entrusted to coordinate activities of government units and departments. The Council will work shall be represented by DPOs.